

**MEETING 23** June 12

At a Regular Meeting of the Madison County Board of Supervisors on June 12, 2007 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman  
James L. Arrington, Vice-Chairman  
William L. Crigler, Member  
Bob Miller, Member  
Clark Powers, Member  
V. R. Shackelford, III, County Attorney.  
Lisa R. Kelley, County Administrator  
Jacqueline S. Frye, Secretary

Chairman, Eddie Dean called the meeting to order and announced that all Board members are present at today's meeting.

**IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION**

In the absence of Donald Gore, Resident Engineer, Larry Fanton attended the meeting and stated information has been received regarding the Revenue Sharing Program pertaining to Route 702 that was very positive; also reported work is being initiated on Turner Drive; a review is being initiated on the intersection of Route 29 and Route 662 at Shelby to warrant whether a traffic light will need to be installed at the location; mowing operations are being initiated on secondary roadways; completed repairs at Kinderhook Road; Route 642 has a advertisement date of December 2008.

Larry Fanton also asked the Board to forward a letter to the Virginia Department of Transportation to express the County's interest in initiating involvement in a Ride Share Program as verbalized by Bob Miller.

V. R. Shackelford, III, County Attorney stated he pulled a copy of the agreement that was established on Route 702 which indicates "the improvements shall be made and fully paid for no later than January 1, 2008" and "any unused funds will go towards the maintenance of the roadway; he provided a copy of the agreement to Larry Fanton for review and information.

**IN RE: PAYROLL & CLAIMS & SUPPLEMENTAL APPROPRIATIONS**

Chairman, Eddie Dean asked if there were any questions related to the proposed Payroll & Claims Report as submitted for the month of May 2007.

Chairman, Eddie Dean stated Teresa Miller, Finance Director, advised the reason for the increased amount paid for claims during the month resulted from \$400,000.00 being spent on the Main Street Project – these funds will later be reimbursed to the County.

Teresa Miller, Finance Director, advised that \$280,000.00 was reimbursed to the County as of today's date.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the warrants issued in satisfaction of payroll for May 2007 (Checks #30109930 through #30110038 and electronic transfer #21) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of James L. Arrington, seconded by William L. Crigler, the warrants issued in satisfaction of claims against the County for May 2007 (Checks #10124966 through #10125233) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean stated the following supplemental appropriations need to be approved by the Board:

1. Park & Recreation (funds deposited for Youth Sports) \$ 12,300.75  
#5690-71100
2. Park & Recreation (funds deposited for Health Fitness) \$ 3,601.50  
#5691-71100
3. Commonwealth Attorney \$ 8,634.61  
# 1545-22100 (grant proceeds rec'd for Va. Domestic Violence Program  
(\$8,021.01)  
#2100-22100 [\$613.60] Wages & FICA
4. Sheriff (DMV Grant proceeds for highway safety) \$ 1,777.57

#1730-32100

- |    |  |                     |
|----|--|---------------------|
| 5. | Social Services (second request for CSA funds) | \$ 25,000.00        |
| 6. | School Board (supplement for 2008 school bus)  | <u>\$ 69,635.00</u> |

**TOTAL: \$120,949.43**

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board approved the aforementioned supplemental appropriations totaling \$120,949.43, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

James L. Arrington asked how the assessment was progressing.

Teresa Miller advised the process is a little over halfway completed

**IN RE: MADISON COUNTY SCHOOLS**

Lisa Kelley, County Administrator advised that Dr. Brenda Tanner, Superintendent, was unable to attend today's meeting due to a prior commitment.

**IN RE: MADISON FACILITIES & MAINTENANCE**

Lisa Kelley, County Administrator, advised that Ross Shifflett, Director of Facilities & Maintenance, will not be in attendance today due to not feeling well.

**IN RE: MADISON SOCIAL SERVICES**

Nan Coppedge, Director of Social Services, thanked the Board for reappointing Ms. Barbara Breeding to the Social Services Board; she also advised her office has had a bit of difficulty with the telephone system being hooked to a computer in the office; however, a technician has made repairs to the system; she also advised that a new booklet has been prepared by comprehensive services.

**IN RE: MADISON CHAMBER OF COMMERCE**

Tracey Williams, Tourism Coordinator, was present and stated there were four (4) new members to the Chamber during the month; also have a new volunteer for a

couple of hours on Mondays; also spoke with a community services representative about helping @ the Visitor Center; Business Appreciation Dinner and Business Expo were a great success; attended GMMSP meeting and the Living Towns Workshop held in Sperryville, Virginia; visitor center had (60) visitors in May – website had 6,173 hits since last month; Heartland Choir Concern was a great success; sent out parade entries – getting many back – now lining up trophy sponsors; April and website had (4,312) hits; Music on the Lawn series began on June 4<sup>th</sup> – Courtney Hollow Band will perform this Thursday @ 6:30 p.m.; brochures for Taste of the Mountains Festival are being distributed – will get poster and distribute and disperse press releases during the upcoming month. In closing, she advised the premier of “Evan Almighty” will preview shortly and hopes this will be more widespread – advised that several local citizens were filmed as “extras” in the production.

Tracey Williams, Tourism Coordinator, also reminded the Board of the upcoming appreciation dinner in honor of Fritz Brittain that has been scheduled for Monday, June 18, 2007 at Graves Mountain Lodge beginning @ 6:30 p.m.

#### **IN RE: MADISON COUNTY E-911**

Robert Finks, E-911 Coordinator, provided the following report for the month of May; (576) E-911 calls; (331) from regular telephones; (245) from cellular phones; (25) alarm calls; (31) E-911 hang-up(s); (4) open lines; and (3) misdials; he advised there have not been many replies received concerning the False Alarm Ordinance – letters will start being sent out this month to property owners notifying them that fines will be imposed.

Bob Miller suggested that a copy of the False Alarm Ordinance be posted to the door of each residence and/or business when a false alarm call is handled by law enforcement.

Clark Powers asked if there was a significant increase in the false alarm calls during the past months, to which Robert Finks stated the calls are about the same.

Robert Finks stated there was no certain day in which there was a significant amount of calls.

Clark Powers asked what effective actions have been taken since the False Alarm Ordinance was passed.

Robert Finks stated a notice was advertised in the Madison County Eagle to inform property owners they were to register by June 1, 2007; once property owners register, they are to be imposed a fee of \$100.00 after the third occurrence within a ninety (90) day period.

Chairman, Eddie Dean advised it doesn't appear to be any alternative method in which the County can make property owners aware of the adopted Ordinance.

Robert Finks advised that he plans to send a registration form to the property owners that he now has on record and a copy of the adopted Ordinance with the warning that if the registration form isn't completed and returned a \$100.00 fee will be imposed; however, no fine will be imposed if a completed registration form is returned to his office.

Erik Weaver, Sheriff, advised his department will comply with the suggestion made by Bob Miller, Board member; he also advised the number of Deputies sent to false alarms depends on what time of alarm notification is received (i.e. burglary, fire, etc.). He also advised the normal procedure calls for two (2) Deputies to respond to these types of calls; however, he also stated that several property owners do not permanently reside in Madison County and are unavailable when the Deputies respond to the calls.

#### **IN RE: EMERGENCY MANAGEMENT SERVICES**

Carl Pumphrey, EMS Coordinator, provided a report of all activities for the month of May 2007 which documented projects, responses, training and meetings attended during the month.

**IN RE: MADISON EMERGENCY MEDICAL SERVICES**

Lewis Jenkins, EMS Coordinator, provided the following report for the month of May 2007:

1. Total calls toned: (99)
2. Total calls handled: (81)
3. Total calls no response: (18)  
 [(11) Greene; (1) Culpeper and (1) Orange calls for mutual aide assistance were not Answered (no available staff); (5) calls cancelled by 1<sup>st</sup> responders]
4. Average In-County response time to the scene: 8.4 minutes
5. Night coverage: (11) hours of night coverage on (14) nights  
 Total calls handled: (18)

Lewis Jenkins advised that Jennifer Alexander was hired to fill an open full-time position – she has finished her orientation and is already providing excellent care to patients; an International Trauma Life Support (ITLS) training course was held @ the Firehouse with (12) EMS employees attending – this class spends (16) hours on improving skills needed in order to take care of severely injured trauma patients – course is also required for EMS personnel; Anthony Judkins completed the Pediatric Advanced Life Support (PALS) course; also provided stand-by coverage during the month at the Blue Grass festival and other County events. He also advised the current OMD is leaving UVA to work in east Carolina.

James L. Arrington suggested new EMS personnel attend the Regular Meetings to meet the Madison County Board of Supervisors, to which Lewis Jenkins advised would have occurred today; however, an emergency call was received shortly before the meeting began.

**IN RE: MADISON COUNTY SHERIFF**

Erik Weaver provided the following report for the month of May 2007:

1. Total service calls: 919
2. Criminal arrests: 61
3. Civil process (warrants): 321
4. Days of court: 14

5. Animal Control service calls: 121

Erik Weaver, Sheriff, advised that Animal Control has received calls for domestic animals, raccoons and bears.

Erik Weaver, Sheriff, advised his department was also on duty three (3) days during the Blue Grass festival for three (3) days; they will also provide security at the County Fair, Tractor Pull and Annual County Parade.

Bob Miller, Board member asked about the increased number of calls to Animal Control for bears within the County and whether these calls should be handled by the Game Warden(s).

Erik Weaver, Sheriff, advised when the local Game Warden(s) are in another part of the County when calls are received for bears, an Animal Control Officer is normally sent; he also advised there has been a shortage of Game Wardens in the State within recent months.

Erik Weaver, Sheriff, also advised per his conversation with Mr. Graves of Syria, this has been a dry spring with limited vegetation in the mountainous areas – the bears are coming into human habitats searching for food.

James L. Arrington asked if any of the increased calls were related to the influx in the cat population.

Erik Weaver, Sheriff, stated there have been several calls at night for domestic animals; he stated although there is an over abundance of cats in the County, citizens are continuing to call Animal Control to deliver traps to residences.

Erik Weaver, Sheriff, advised the narcotics canine traveled to New York during the past week and the bomb canine arrived on Friday; he is hoping the canine will be certified and in service by the first of August 2007.

**IN RE: MADISON COUNTY LIBRARY (Proposed Waiver of Building Permit Fee)**

Chairman, Eddie Dean stated the Board received a letter from the Madison County Library requesting that building permit fees be waived while they replace the roof on the building.

Lisa Kelley, County Administrator, advised she was notified by Wes Smith, Building Official, that he received a request regarding this issue; he also advised the fee (\$76.31) has been waived in the past for renovation to he Library and requested

the Board make a decision regarding this concern; however, the building permit was issued so as not to cause a delay in the renovation work.

Bob Miller, Board member, suggested the Board establish a policy to be utilized in the future pertaining to said request.

V. R. Shackelford, III, County Attorney advised the Board has waived building permit fees in the past for community based organizations.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the Board voted to waive the building permit fee totaling \$76.31 for the Madison County Library, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

**IN RE: RESOLUTIONS COMMENDING RETIRED EMPLOYEES FOR SERVICE**

Lisa Kelley, County Administrator advised the Board she has prepared a draft Resolution in honor of the dedicated service that Fritz Brittain has provided to Madison County over the years; she asked if the Board desired to pass the Resolution, it could be presented to him at the appreciation dinner on Monday, June 18, 2007.

After discussion, on motion of James L. Arrington, seconded by Bob Miller, the Board adopted the Resolution for Fritz Brittain as presented by Lisa Kelley, County Administrator, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

**RESOLUTION**

WHEREAS, Fritz Brittain has diligently served the County of Madison as its Director of Economic Development for many years; and

WHEREAS, Mr. Brittain has always worked toward the end that this County might find a range of business uses to locate within the County that would best suit the County's desire to remain a rural, agriculture-centered locality; and

WHEREAS, over the years Mr. Brittain has established valuable relationships with regional and state entities, which will continue to be of benefit to the County after his departure,

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors, on behalf of the citizens of Madison County, hereby expresses its gratitude and appreciation to Fritz Brittain for his professional service to Madison County.

ENACTED this 12<sup>th</sup> day of June, 2007.

\_\_\_\_\_  
 Eddie Dean, Chairman  
 Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
Eddie Dean	<u>  x  </u>	_____	_____	_____
James L. Arrington	<u>  x  </u>	_____	_____	_____
William L. Crigler	<u>  x  </u>	_____	_____	_____
Bob Miller	<u>  x  </u>	_____	_____	_____
Clark Powers	<u>  x  </u>	_____	_____	_____

Attest:

\_\_\_\_\_  
 Lisa R. Kelley  
 County Administrator

**CURRENT CORRESPONDENCE:**

**REZONING APPLICATION**

Chairman, Eddie Dean advised he received correspondence pertaining to the rezoning application the County has presented to the Madison Town Council for the Administration Center located at 414 N. Main Street in the Town of Madison.

Lisa Kelley, County Administrator, advised she has not received any correspondence to date concerning the applications that have presented and was unsure as

to why the rezoning request was addressed only; however, she feels this may indicate the Madison Town Council plans to act on this particular request at their upcoming meeting and will not act on the site plan at the same meeting - she also advised the Madison Town Council must act on the County's site plan request by July 7, 2007.

V. R. Shackelford, III, County Attorney stated that a notice was published in the Madison County Eagle of the joint hearing request presented by the County for the rezoning and site plan.

#### **DELEGATE ED SCOTT**

Chairman, Eddie Dean stated he received a letter from Delegate Ed Scott regarding the recent discussion of Route 29 – further discussion will be addressed pertaining to this concern at the Board Workshop scheduled for Thursday, June 28, 2007.

#### **FACILITIES & MAINTENANCE (Letter of thanks)**

Chairman, Eddie Dean advised that a letter was received from Jacqueline Frye to thank Ross Shifflett, Directors of Facilities & Maintenance, for a tent that he loaned to the Madison County Schools Special Education Department during a Special Olympics event.

#### **JOURNEY THROUGH HALLOWED GROUND (Newsletter)**

Chairman, Eddie Dean advised that a newsletter was received from the Journey through Hallowed Ground Partnership for the Board's information.

#### **IN RE: IN RE: MADISON VOLUNTEER RESCUE SQUAD**

William L. Crigler provided the following report for May 2007:

(52): Patient emergencies  
 (1): Assists to EMS  
(1) Unfounded  
 (54): Total calls

William L. Crigler also advised the volunteer squad was on stand-by at the Blue Grass Festival held at Grave's Mountain Lodge.

#### **IN RE: PUBLIC COMMENT**

Jim O'Reilly of Wolftown was present and stated he forwarded a letter to the Board suggesting a review be made of the Madison County Animal Control Ordinance with regard to dogs running at large in Madison County.

Lisa Kelley, County Administrator, advised the letter was received and the Board members received copies of the letter during the Board Workshop that was held on Thursday, May 31, 2007.

Jim O'Reilly stated he has been a victim of a dog bite while walking on Route 662 in March – he stated he feels the County's Ordinance should have restrictions on dogs with tags that are allowed to run the County's roadways and through subdivisions. He feels it's very inappropriate that people can be arrested for trespassing on private property but law enforcement cannot do anything when stray dogs are on private property unless the property owner (or private citizen) is bitten. He also made reference to a letter that was published from a private citizen in which law enforcement was thanked for their assistance during the Tour de Madison Bicycle Competition; however, he also stressed the negative impact tourism would suffer in the event a cyclist was severely injured by a stray dog committing an aggressive act.

V. R. Shackelford, III, County Attorney advised there is no leash law enforced in Madison County and that dogs with tags are not required to be leashed; however, he felt there was an exception for dogs in a subdivision.

Chairman, Eddie Dean advised Mr. O'Reilly the Board will review the Ordinance as adopted; he also asked that V. R. Shackelford, III, County Attorney and Lisa Kelley, County Administrator, review Animal Control Ordinances that are being enforced in surrounding Counties and review policies in place.

V. R. Shackelford, III, County Attorney advised that an amendment was done during the last review; however, he stated he was unsure if any of the contents would be effective in remedying the problem as being outlined today; he also stated that most surrounding Counties do not have a leash law.

James L. Arrington stated the Leash Law requires dogs to be contained on a leash; however, the roaming of dogs is something that needs to be further addressed as such a law in the rural area would not be a feasible option.

Jim O'Reilly stated his main concern is to keep dogs off private property and from being a menace to citizens. He stated the best means possible to accomplishing this should be determined by the pet owner. He also commented that if a dog is seen chasing cattle, the cattle owner can fire upon the dog; however, if a dog is chasing a

human being, this cannot be done. In closing, he asked to be kept abreast of measures the Board takes to remedy this concern.

Chairman, Eddie Dean thanked Mr. O'Reilly for his letter and also for attending today's meeting

Stan Berns was present to discuss documentation he provided to the Board regarding a petition presented to the Virginia Department of Transportation to request the speed limit be lowered in the Village of Etlan, Virginia (from 55 mph to 35 mph) – he stated the Virginia Department of Transportation responded with a suggestion the limit be decreased to 45 mph which will be denoted in the area. Mr. Berns stated that several citizens feel this is not most feasible option and does not offer much priority to “safety” – therefore, he is requesting the Madison County Board of Supervisors assist with this matter. In closing, Mr. Berns stated it appears the study conducted by the Virginia Department of Transportation is “data driven” and not a “feet on the ground” approach to the situation; therefore, he has provided photographs of similar situations and feels the documentation presented is appropriate signage to attain an appropriate speed limit in Etlan, Virginia; he also feels the survey did not take the “time of day” into consideration (i.e. foot traffic, parking, increased traffic times, school bus drop off/pick-up).

Clark Powers stated he agreed there is a need to decrease the speed in the Village of Etlan, Virginia due to numerous vehicles traveling from Syria; additional reasons revolve around the time of year when the annual festival and other events are taking place; therefore, he feels for these reasons, the speed reduction should be of particular interest to Donald Gore of the Virginia Department of Transportation.

Chairman, Eddie Dean thanked Jim Berns for attending today's meeting; he stated this issue will be discussed at the Board's July Regular Meeting scheduled for July 10, 2007 beginning at 3:00 p.m. as the representative from the Virginia Department of Transportation has already departed today's session; therefore, Mr. Berns was invited to attend the July Regular Meeting to present his concerns to Donald Gore at that time.

In closing, Chairman, Eddie Dean stated that although the Board does not open for public comment at 3:00 p.m., citizens are encouraged to discuss issues with Donald Gore of the Virginia Department of Transportation at 3:00 p.m.

Stan Berns stated that he will compile all correspondence and present the issue to Donald Gore at the July Regular Meeting of the Madison County Board of Supervisors.

James Ballard was present and advised that he has decided to present his comments to the Madison County Board of Supervisors at another time.

**IN RE: MINUTES**

On motion of James L. Arrington, seconded by Bob Miller, Minutes #17, #18, and #20 are approved as presented and #19 and #21 are approved as amended and spread in Minute Book #15, page 733 through 763, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

**IN RE: KEMPER MANSION (Pre-Construction Meeting)**

Lisa Kelley, County Administrator, provided an overview of the construction meeting that took place at the Estes House; she advised a utility pole from the northwest side of the Estes House property beside the garage; the plans call for the site for a future generator in that location; additionally, grading will need to be done and the electrical company is constructing a new easement/right-of-way agreement for the new location of the pole and will need someone to sign off on the agreement once it is ready to be moved. In closing, she asked if the Madison County Board of Supervisors would authorize her to sign an agreement or designate a Board member to sign the agreement which should be ready to be signed within the next few days.

Bob Miller asked if the pole will remain on County property after being relocated, to which Lisa Kelley, County Administrator, responded it will; she also advised there was some concern as to the pole needing to be moved further away which would have resulted in the pole being situated on another citizen's property; however, a representative from the power company attended the pre-construction meeting and staked another location – a new pole and guide wire will be utilized and the pole will only be relocated a few feet from the original spot. Additionally, the relocation will allow for additional space for the future generator to be placed at the site.

Clark Powers verbalized concerns regarding the agreement and also about the placement of a generator.

Lisa Kelley, County Administrator, explained the details of the agreement (right-of-way/easement) and the process of designating a representative to sign this agreement on behalf of the governing body (Madison County Board of Supervisors).

Chairman, Eddie Dean advised the generator will be installed during Phase II of construction.

V. R. Shackelford, III, County Attorney, advised this request would not create a problem.

After discussion on motion of William L. Crigler, seconded by James L. Arrington, the Board authorized Lisa Kelley, County Administrator, to sign the aforementioned agreement with the utility company to authorize removal of a utility pole on the northwest side of the Estes House Property, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

#### **IN RE: ESTES HOUSE RENOVATION**

James L. Arrington asked about progress being made at the Estes House and whether current renovations are on budget and on schedule.

Lisa Kelley, County Administrator, advised all work being completed to date is on schedule; she advised there have been a few minor delays related to small issues being encountered. She also advised the renovations are on budget with the exception of a few minor details that have cropped up while digging was underway (i.e. hit a rock during a recent dig) – a small cost was incurred to correct this problem. She also advised there was some dampness discovered in the basement of the structure as a result of the recent storm – corrective measures have been taken until the storm water measures are all in place. She advised the project is running ahead of schedule and testing will be initiated to ensure that water is not coming through the concrete slab or other locations prior to any refinishing work being done.

In closing, Lisa Kelley, County Administrator, stated there have been no unusual surprises or cost adjustments encountered with this project.

Chairman, Eddie Dean advised the Board will need to go into closed session to discuss some items.

**IN RE: EXECUTIVE SESSION**

On motion of William L. Crigler, seconded by Bob Miller, the Board voted to go into Executive Session to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act – the subject and purpose falls within the following exemption: Real Property, Section 2.2-3711 (A) (3) Pertaining to the Disposition of Criglersville Elementary School and Consultation with Legal Council, Section 2.2-3711 (A) (7) Pertaining to legal advise regarding the Madison Transfer Station, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of Bob Miller, seconded by William L. Crigler, the Board voted to go back into open session with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of William L. Crigler, seconded by Bob Miller, the Board took roll call to certify that nothing was discussed which was not authorized by the Code of Virginia and that the following Resolution is adopted with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

MOTION: William L. Crigler

RESOLUTION NO: 2007-9

SECOND: Bob Miller

MEETING DATE: June 12, 2007

**CERTIFICATION OF EXECUTIVE MEETING**

WHEREAS, the Madison County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Madison County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Madison County Board of Supervisors.

VOTE

AYES, Eddie Dean, James L. Arrington, William L. Crigler, Bob Miller, Clark Powers

ABSTAIN: None

NAYS: None

(For each nay vote, the substance of the departure from the requirements of the act should be described)

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

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Clerk/Secretary of the Madison County Board of Supervisors

No action was taken as a result of Executive Session.

On motion of William L. Crigler, seconded James L. Arrington,

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

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**7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order.**

**IN RE: 2007-2008 BUDGET FOR MADISON COUNTY**

Chairman, Eddie Dean stated the Board will vote on the proposed 2007-2008 Budget for Madison County.

Chairman, Eddie Dean provided an overview of the comments on the

proposed 2007-2008 Budget and the tax rate amount in the budget. He provided an overview of the various tax rate adjustments during his tenure on the Madison County Board of Supervisors; he stated when the Board decreased the real estate tax a few years back, an adjustment was made to personal property tax which brought the County to a one hundred percent (100%) assessment – prior to that time, personal property was marked at one-fifth of the original value (i.e. \$8.00 personal property tax was changed to \$1.60 after the adjustment); he noted although a change was made in the personal property tax rate in 2005, the rate has remained the same for the past two (2) years. He stated an amendment was added to personal property tax which denoted a change for the value of farm machinery after seven (7) years – in 2006, the County changed the limit from seven (7) years to six (6) years; and this year the time will be decreased to five (5) years for farm machinery (i.e. farm machinery that taxes have been paid on for five (5) years will be taken off the tax rolls).

Chairman, Eddie Dean also noted the Madison County Board of Supervisors is recommending a change in how the value of automobiles is set; he stated since his tenure on the Madison County Board of Supervisors, the assessed value for automobiles was the fair market value based on the NADA Blue Book in January of the year the tax was prepared; however, this year, the Madison County Board of Supervisors is recommending the assessed value of automobiles be the “trade in” value listed in the January NADA Blue Book for tax year 2007.

In closing, Chairman, Eddie Dean stated if local citizens should see a decrease in their taxes if they are still utilizing the same automobile(s) and/or farm machinery, and living in the same home, they should see a decrease in their tax bill; however, those who have purchased more expensive property(ies) than they previously owned one year ago will see a noted increase in their tax bill.

James Hale was present and stated he was informed by the assessor from Blue Ridge Appraisals, Inc. that his real estate assessment was too high.

Chairman, Eddie Dean advised there will be a Board of Equalization who will be made available to discuss any citizens’ concerns pertaining to the assessment; however, he advised at the present, figures are not available as the amount is based on the latest sale to take place in Madison County which will probably not be determined until

October/November.

In closing, Chairman, Eddie Dean advised there is information on ratios; therefore when a determination is made regarding land value(s), this information will be multiplied out and produce an improvement value (i.e. values have not yet be assigned due to the fact the most recent data must utilized).

James Hale verbalized concerns over the housing rates in Madison County.

Chairman, Eddie Dean stated the County could generate the same amount of funding without having a change in the tax rate; he advised there is normally an increase which initiates a decrease in rates; however, if there is a decrease, the County would be justified in having an increase in taxes to generate the same amount of funding.

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	<b>2006-2007 Adopted Budget</b>	<b>2007-2008 Proposed Budget</b>	<b>Change</b>
<b><u>FUNDS</u></b>			
TOTAL REVENUE FROM LOCAL SOURCES	15,353,264	14,792,972	-560,292
TOTAL REVENUE FROM COMM. OF VIRGINIA	3,430,875	3,363,241	-67,634
TOTAL REVENUE FROM FEDERAL GOV.	<u>40,000</u>	<u>40,000</u>	<u>0</u>
<b>Total Revenue From General Fund</b>	<b>18,824,139</b>	<b>18,196,213</b>	<b>-627,926</b>
TOTAL SCHOOL REVENUE	10,582,311	10,606,307	23,996
TOTAL SCHOOL CAFETERIA FUND	589,090	609,250	20,160
TOTAL ARMSTRONG SCHOLARSHIP FUND	<u>5,000</u>	<u>5,000</u>	<u>0</u>
<b>Total Other Funds</b>	<b>11,176,401</b>	<b>11,220,557</b>	<b>44,156</b>
<b>TOTAL REVENUE FUNDS</b>	<b>30,000,540</b>	<b>29,416,770</b>	<b>-583,770</b>
CARRYOVER FUNDS	<u>2,500,000</u>	<u>5,074,083</u>	<u>2,574,083</u>
<b>TOTAL AVAILABLE FUNDS</b>	<b>32,500,540</b>	<b>34,490,853</b>	<b>1,990,313</b>
 <b>EXPENDITURES</b>			
<b><u>Expenditures – Primary Government</u></b>			
BOARD OF SUPERVISORS	230,081	61,019	-169,062
COUNTY ADMINISTRATOR	104,657	212,178	107,521

LEGAL SERVICES	60,396	62,416	2,020
AUDITOR	30,000	30,000	0
COMMISSIONER OF REVENUE	185,958	195,154	9,196
LAND USE PROGRAM	1,900	1,900	0
PERSONAL PROPERTY	6,425	5,520	-905
ASSESSOR	7,200	115,000	107,800
BOARD OF EQUALIZATION	0	17,224	17,224
TREASURER	253,609	271,008	17,400
FINANCE DEPARTMENT	0	124,132	124,132
DATA PROCESSING	34,416	35,000	584
ELECTORAL BOARD & OFFICIALS	44,500	46,900	2,400
REGISTRAR	82,194	93,024	10,830
CIRCUIT COURT	25,260	29,300	4,040
MADISON COMBINED COURT	11,700	11,700	0
MAGISTRATES	1,175	1,175	0
CLERK OF CIRCUIT COURT	310,998	328,021	17,023
VICTIM/WITNESS PROGRAM	23,031	23,413	382
COMMISSIONER OF ACCOUNTS	920	920	0
COMMONWEALTH ATTORNEY	248,383	254,243	5,860
RAPPAHANNOCK LEGAL SERVICES	2,178	2,396	218
SHERIFF	1,787,209	1,874,598	87,389
PUBLIC SAFETY	47,814	47,545	-269
EMERGENCY OPERATIONS CENTER	457,801	473,538	15,737
MADISON VOLUNTEER FIRE DEPARTMENT	108,000	112,000	4,000
MADISON VOLUNTEER RESCUE SQUAD	106,000	107,000	1,000
EMS COUNCIL	7,727	7,959	232
RAPIDAN VOL. FIRE DEPARTMENT	6,500	6,500	0
REVA VOLUNTEER FIRE & RESCUE INC.	6,500	6,500	0
EMERGENCY MEDICAL SERVICES (EMS)	795,789	903,076	107,288
JUVENILE PROBATION OFFICE	23,198	23,198	0
CONFINEMENT OF PRISONERS	3,000	3,000	0
CENTRAL VIRGINIA REGIONAL JAIL	2,261	3,230	969
JUVENILE DETENTION	44,273	124,013	79,740
JEFFERSON AREA COMMUNITY CORRECTIONS	4,533	4,581	48
BUILDING OFFICIAL	208,518	225,864	17,346
VIRGINIA BUILDING PERMIT FEE	2,500	3,000	500
ANIMAL CONTROL	122,926	117,135	-5,791
MADISON ANIMAL SHELTER	156,017	196,539	40,522
MEDICAL EXAMINER	1,000	1,000	0
SERVICES TO ABUSED FAMILIES	3,400	3,400	0
ROAD CONSTRUCTION-REVENUE SHARING	0	0	0
TRANSFER STATION	798,483	872,370	73,888
FACILITIES & MAINTENANCE	525,400	616,166	90,767
MADISON HEALTH DEPARTMENT	150,122	155,842	5,720
HOSPICE OF THE RAPIDAN, INC.	1,000	2,000	1,000
MADISON FREE CLINIC	0	1,000	1,000
COMMUNITY SERVICES BOARD	58,000	66,588	8,588
COMPREHENSIVE SERVICES	0	0	0
GERMANNA COMMUNITY COLLEGE	21,805	1,724	-20,081
PARKS & RECREATION - ADMIN. & MAINT.	145,629	111,137	-34,492

RECREATION AUTHORITY	0	0	0
CULTURAL ENRICHMENT - WVPT	1,200	1,200	0
MADISON LIBRARY	87,419	87,419	0
PLANNING COMMISSION	16,145	16,145	0
ZONING AND PLANNING	133,366	139,909	6,544
MADISON MAIN STREET PROJECT	750,000	250,000	-500,000
RAPIDAN BETTER HOUSING CORP.	7,000	7,000	0
AGING TOGETHER	8,010	8,010	0
BOARD OF ZONING APPEALS	5,100	4,880	-220
BOARD OF BLDG CODE APPEALS	700	700	0
ECONOMIC DEVELOPMENT	21,212	0	-21,212
CHAMBER OF COMMERCE	55,930	55,706	-224
RAPP-RAPIDAN REGIONAL COMMISSION	9,169	9,320	151
PLANNING - UPDATING TAX MAPS	22,157	20,000	-2,157
PIEDMONT WORKFORCE NETWORK	0	500	500
SKYLINE CAP	27,980	27,980	0
MADISON HABITAT FOR HUMANITY	500	500	0
CULPEPER SOIL & WATER CONSERV. DIST.	25,108	25,925	817
FORESTRY SERVICE	3,828	3,830	2
ENVIRONMENTAL MANAGEMENT	10,000	0	-10,000
RECYCLING PROGRAM	18,100	18,919	820
NORTHERN VIRGINIA 4-H CENTER	500	500	0
EXTENSION & CONT'ED EDUCATION	79,042	83,293	4,251
CONTINGENCY FUND	300,000	300,000	0
REVENUE REFUNDS	10,550	23,200	12,650
CAPITAL EXPENDITURES	2,612,000	3,330,000	718,000
DEBT SERVICE - SCHOOL BONDS	362,715	352,113	-10,602
DEBT SERVICE - CLORE PROPERTY	<u>0</u>	<u>0</u>	<u>0</u>
<b><i>Total Expenditures - Primary Government</i></b>	<b>11,828,113</b>	<b>12,759,195</b>	<b>931,082</b>
<b><i>Expenditures - Other Units</i></b>			
SOC. SERV. OPERATING FUND	1,262,131	1,385,010	122,879
CSA OPERATING FUND	601,500	1,082,500	481,000
SCHOOL OPERATING FUND	17,524,706	18,249,898	725,192
CAPITAL IMPROVEMENT PROJECTS FUND	690,000	400,000	-290,000
SCHOOL CAFETERIA FUND	589,090	609,250	20,160
SCHOLARSHIP FUND	<u>5,000</u>	<u>5,000</u>	<u>0</u>
<b><i>Total Expenditures - Other Units</i></b>	<b>20,672,427</b>	<b>21,731,658</b>	<b>1,059,231</b>
<b>GRAND TOTAL EXPENDITURES</b>	<b>32,500,540</b>	<b>34,490,853</b>	<b>1,990,313</b>

After discussion, on motion of Bob Miller, seconded by James L. Arrington, the Board voted to adopt the proposed 2007-2008 Budget for Madison County, totaling \$34,490,853.00 (as advertised), with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye.

**IN RE: ORDINANCE TO FIX TAX LEVIES FOR THE TAX YEAR BEGINNING  
January 1, 2007**

**ORDINANCE TO FIX TAX LEVIES  
FOR THE TAX YEAR BEGINNING  
January 1, 2007**

BE IT ORDAINED by the Madison County Board of Supervisors that tax levies for the County of Madison be, and they hereby are established for the tax year beginning January 1, 2007, as follows:

I. REAL ESTATE as defined by Section 58.1-300 of the Code of Virginia, 1950, as amended, including public service corporation real estate as defined by Section 58.1-2606 of the Code of Virginia, 1950, as amended, and manufactured homes as defined by Section 36-85.3 of the Code of Virginia, 1950, as amended: \$0.59 per \$100 of assessed valuation based on 100% of market value (subject to Madison County land use tax ordinance if applicable).

II. TANGIBLE PERSONAL PROPERTY as defined by Section 58.1-3000 and classified by Section 58.1-3500 through 58.1-3503 of the Code of Virginia, 1950, as amended, including public service corporation tangible personal property as defined by Section 58.1-2606 of the Code of Virginia, 1950, as amended: \$2.14 per \$100 assessed valuation based on 100% of market value, subject to personal property tax relief for personal use vehicles; provided, however, the market value of farm machinery as classified in Section 58.1-3505(A) (8) and (10) shall be deemed to be \$0.00 after five (5) years of taxation by Madison County, Virginia.

III. MACHINERY AND TOOLS as defined by Section 58.1-3507 of the Code of Virginia, 1950, as amended: \$1.10 per \$100 of assessed valuation based on 100% of market value.

IV. MERCHANTS CAPITAL as defined by Section 58.1-3510 of the Code of Virginia, 1950, as amended: \$0.86 per \$100 of assessed valuation based on 100% of market value.

ADOPTED the 12th day of June, 2007.

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Eddie Dean, Chairman  
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
Eddie Dean	<u>  x  </u>	_____	_____	_____
Bob Miller	<u>  x  </u>	_____	_____	_____
James L. Arrington	<u>  x  </u>	_____	_____	_____
William L. Crigler	<u>  x  </u>	_____	_____	_____
Clark Powers	<u>  x  </u>	_____	_____	_____

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V. R. Shackelford, III  
Madison County Attorney

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the Board voted to adopt the Ordinance to Fix Tax Levies for the Tax Year Beginning January 1, 2007, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Lisa Kelley, County Administrator, advised the Board they will need to appropriate the full year amount of funding included in the 2007-2008 Budget for Madison County for operations during the 2007-2008 Fiscal Year.

After discussion, on motion of Bob Miller, seconded by James L. Arrington, the Board appropriated the full amount of the newly adopted 2007-2008 Budget for Madison County totaling \$34,490,853.00 for County operations, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

**PUBLIC HEARING**

**IN RE: ORDINANCE TO IMPOSE A FEE IN CRIMINAL AND TRAFFIC CASES FOR THE FUNDING OF COURTHOUSE SECURITY PERSONNEL**

Chairman, Eddie Dean advised the Board will now hold a Public Hearing to discuss an Ordinance to Impose a Fee in Criminal and Traffic Cases for the Funding of Courthouse Security Personnel (increase court fee from \$5.00 to \$10.00); he advised this request is in line with guidelines that were adopted by the Virginia House of Delegates & Senate and also signed by the Governor of Virginia.

V. R. Shackelford, III, County Attorney advised the money collected must go towards offsetting the cost of courthouse security only.

Chairman, Eddie Dean asked if all funding collected would go into one “pool” or does Madison County receive only funding that is collected in Madison County.

V. R. Shackelford, III, County Attorney advised that all fees collected in Madison County will be provided to Madison County – he advised that some Counties may not have adopted said Ordinance.

In closing, V. R. Shackelford, III, County Attorney stated the fees are collected in both courts (i.e. lower and circuit).

Chairman, Eddie Dean advised the funding will be utilized to compensate Deputies assigned to court security; this may also provide the County with more revenue that was previously budgeted for this purpose since the 2007-2008 Budget for Madison County was based on the previous \$5.00 fee.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board adopted the aforementioned Ordinance to impose specified fee increase (from \$5.00 to \$10.00) for criminal and traffic cases to fund courthouse security personnel, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

**ORDINANCE TO IMPOSE A FEE IN CRIMINAL AND TRAFFIC CASES FOR THE FUNDING OF COURTHOUSE SECURITY PERSONNEL**

WHEREAS, Virginia Code Section 53.1-120 has been amended to authorize a fee increase from five dollars (\$5.00) to ten dollars (\$10.00) in criminal and traffic cases for the funding of courthouse security personnel.

NOW, THEREFORE, BE IT ORDAINED by the Madison County Board of Supervisors that a fee of ten dollars (\$10.00) is hereby imposed as part of the costs in each criminal and traffic case in the Madison County General District Court and Madison County Circuit Court in which the defendant is convicted on a violation of any statute or ordinance. This fee shall be collected by the Clerk of the court in which the case is heard, remitted to the Madison County Treasurer, and held by the Madison County Treasurer subject to appropriation by the Madison County Board of Supervisors to the Madison County Sheriff to fund the costs of courthouse security personnel.

This Ordinance shall be effective on July 1, 2007.

ADOPTED this 12th day of June, 2007

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Eddie Dean, Chairman  
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
Eddie Dean	<u>  x  </u>	_____	_____	_____
Bob Miller	<u>  x  </u>	_____	_____	_____
James L. Arrington	<u>  x  </u>	_____	_____	_____
William L. Crigler	<u>  x  </u>	_____	_____	_____
Clark Powers	<u>  x  </u>	_____	_____	_____

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Lisa R. Kelley  
Madison County Administrator

**IN RE: WOODBERRY FOREST SCHOOL (BOND FINANCING REQUEST)**

V. R. Shackelford, III, County Attorney advised he has been contacted by a representative of Woodberry Forest School in regards to a capital improvement project they are planning (bond financing) and should be ready to present to the Madison County Board of Supervisors at the August meeting. He advised that Madison County has a funding cap for bond financing totaling \$10,000,000.00; however, in the event the County had a project in which bond financing was to be used during the calendar year, this would use some of the cap. He advised that Woodberry Forest School would like to

use the entire cap providing the County has no other projects and the total financing will be about \$12,000,000.00 – the additional \$2,000,000.00 will be utilized from surplus from other Counties through a state mechanism.

Additionally, V. R. Shackelford, III, County Attorney advised the total amount of the bond issue will be about \$12,000,000.00 and the procedure will involve Woodberry Forest School presenting their request to the IDA (Industrial Development Authority) and then present their case before the Madison County Board of Supervisors for approval. He also advised this does not involve the full faith of Madison County in any manner; however, the County must be certain there are no other projects that might utilize the “cap” funding. He stated a new \$10,000,000.00 will be made available as the “cap” for 2008.

In closing, V. R. Shackelford, III, County Attorney advised such funding has been utilized for Madison Wood Preservers about five (5) years ago and the Luster Group; however, the most recent project was also completed by Woodberry Forest School about three (3) years ago.

William L. Crigler asked in the event the County would like to reserve a portion of the \$10,000,000.00 cap for a project, will the Woodberry Forest Schools be able to collect additional funding through another source, to which V. R. Shackelford, III, County Attorney stated could probably been achieved; however, he was uncertain if the County had any projects in the works at the present time.

V. R. Shackelford, III, County Attorney asked if the Board desired to discuss rezoning issues pertaining to the Madison Transfer Station.

Lisa Kelley, County Administrator, advised this issue will be discussed during the Board Workshop Session.

James Hale asked if there was any further decision made about the Criglersville Elementary School.

Chairman, Eddie Dean advised the Board has received an offer and hopes to be advertising something regarding the disposition of the facility.

V. R. Shackelford, III, County Attorney advised that a Public Hearing will be scheduled to advise the citizens of Madison County.

After discussion, on motion of James L. Arrington, seconded by Bob

Miller, Chairman, Eddie Dean continued the meeting to Thursday, June 28, 2007 at 302 Thrift Road following the Board Workshop Session scheduled, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Absent
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

\_\_\_\_\_  
Eddie Dean, Chairman

\_\_\_\_\_  
Lisa R. Kelley, County Administrator

Date: June 18, 2007

Copies: Eddie Dean, James L. Arrington, William L. Crigler, Bob Miller, Clark Powers, V. R. Shackelford, III & Constitutional Officers

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